

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

PHALANZA S. FRANCISCO

PLAINTIFF

vs.

Civil No. 4:19-cv-04058
Civil No. 4:19-cv-04059

COOPER TIRE & RUBBER COMPANY and
UNITED STEEL WORKERS LOCAL 752

DEFENDANTS

ORDER

Before the Court is Defendant Cooper Tire & Rubber Company's Motion to Consolidate the cases *Phalanza Shawndrick Francisco v. Cooper Tire & Rubber Company*, 4:19-c-04058 and *Phalanza Shawndrick Francisco v. United Steel Workers Local 752*, 4:19-cv-04059. The Motion was filed in Cause No. 4:19-c-04058. ECF No. 15. United Steel Workers Local 752 does not oppose this Motion. Plaintiff has not responded to this Motion, and the time to respond has expired. *See* Local Rule 7.2(b). The Motion was referred to the undersigned for consideration.

Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, a federal court may consolidate actions before that court if those cases "involve a common question of law or fact." In the present action, both of these cases arise out of the same operative facts related to Plaintiff's suspension and subsequent termination from the Cooper Tire facility in Texarkana, Arkansas. Plaintiff requests the same relief in both actions; namely, Plaintiff requests damages for loss of pay, emotional distress, attorney's fees, and punitive damages. Furthermore, the initial scheduling orders in these cases are identical.

Accordingly, based on the foregoing, the Court **GRANTS** Defendant's Motion (ECF No. 15) and consolidates *Phalanza Shawndrick Francisco v. Cooper Tire & Rubber Company*, 4:19-cv-04058 and *Phalanza Shawndrick Francisco v. United Steel Workers Local 752*, 4:19-cv-04059. All future filings should be made under *Phalanza Shawndrick Francisco v. Cooper Tire & Rubber Company and United Steel Workers Local 752*, 4:19-cv-04058.

ENTERED this 28th day of October 2019.

/s/ *Barry A. Bryant*

HON. BARRY A. BRYANT
UNITED STATES MAGISTRATE JUDGE